



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2016

CORAM :

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.3039 of 2016

and WMP(MD) Nos.2670 and 2671 of 2016

WEB COPY

N.Mohan

... Petitioner

Vs.

The District Collector,
Dindigul District,
Dindigul.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the respondent i.e the District Collector, Dindigul relating to his orders dated 18.06.2015 passed in his proceedings ROC No.16932/2015/A1 and quash the same and consequently direct the respondent to reinstate the petitioner anywhere in Dindigul District in a non-sensitive post on receipt of the order.

For Petitioner : Mr.S.Visvalingam

For Respondent : Mr.M.Murugan
Government Advocate

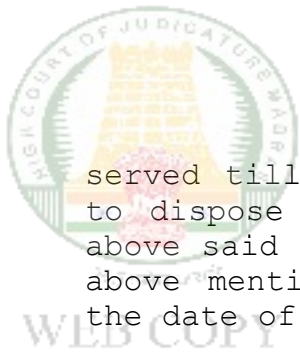
ORDER

This writ petition has been filed for issuance of Writ of Certiorarified Mandamus to quash the impugned order of the respondent i.e the District Collector, Dindigul, by his orders dated 18.06.2015 in proceedings ROC No.16932/2015/A1.

2. Heard the learned counsel appearing on either side.

3. The petitioner, who served as Tahsildar in Nilakkottai, was placed under suspension on 18.06.2015 by the District Collector, Dindigul. The ground, on which he was suspended, is that a criminal case was registered in Crime No.6 of 2015 for the offences under Section 13 (2) r/w 13(1)(d) of Prevention of Corruption Act, 1988. After the said order of suspension was passed, the Government has not issued any charge memo till today. Therefore, the petitioner had given a representation on 27.11.2015 to consider the revocation of the suspension in the light of the judgment passed by the Hon'ble Supreme Court of India in **Ajay Kumar Choudhary Vs. Union of India (UoI)** reported in **2015(3) CTC 119** and the Government Letter in 13519/N/2015-1 Personnel and Administrative Reforms (AR-3) Department dated 23.07.2015 wherein instructions have been given to all the Government Departments that the currency of suspension order should not be extended beyond three months and if within that period charge memo is served on the delinquent officer, a reasoned order must be passed for extension of the suspension.

4. In this case, admittedly, there is no further order after passing of the order of suspension and the charge memo has not been



served till today. Hence, there shall be a direction to the respondent to dispose of the representation dated 27.11.2015 in the light of the above said judgment of the Hon'ble Supreme Court of India as well as the above mentioned Government Letter within the period of two weeks from the date of receipt of copy of this order.

5. The writ petition stands disposed of accordingly. No costs. Consequently, connected M.P.s are closed.

Sd/

Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar(C.S)
Madurai Bench of Madras High Court,
Madurai.

To
The District Collector,
Dindigul District,Dindigul.

+1cc to M/S.S.Visvalingam, Advocate in SR.No.18980
+1cc to Special Government Pleader in SR.No.19291

W.P(MD)No.3039 of 2016
and WMP(MD) Nos.2670 and 2671 of 2016
05.04.2016

CM
PA/JGB-DP/SAR I/18.04.2016/2P/4C